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California Office of Historic Preservation Technical Assistance Series #3

California Register of Historical Resources: Questions and Answers

What is the California Register?

The California Register of Historical Resources is an authoritative guide to California's significant historical and archeological resources to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state, and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change. (See *California Public Resources Code* §5024.1)

The California Register Program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, and defines threshold eligibility for state historic preservation grant funding. The State Historical Resources Commission (SHRC) oversees the California Register program, which the State Office of Historic Preservation (OHP) administers.

The California Register includes:

- ◆ Resources formally determined eligible for, or listed in, the National Register of Historic Places through federal preservation programs administered by the Office of Historic Preservation including
 - ◆ the National Register program;
 - ◆ Tax Certification (Evaluation of Significance, part 1, 36 CFR Part 67); and
 - ◆ National Historic Preservation Act (Section 106, 16 U.S.C. 470f) reviews of federal undertakings;
- ◆ State Historical Landmarks numbered 770 or higher;
- ◆ Points of Historical Interest recommended for listing by the State Historical Resources Commission;
- ◆ Resources nominated for listing and determined eligible in accordance with criteria and procedures adopted by the SHRC, including
 - ◆ individual historic resources and historic districts;
 - ◆ resources identified as significant in historical resources surveys which meet certain criteria; and

- ◆ resources and districts designated as city or county landmarks pursuant to a city or county ordinance when the designation criteria are consistent with California Register criteria.

What are the Effects of Listing on Property Owners?

The rights and responsibilities of owners of historic properties are the same as those of owners of non-historic properties. Listing does **not** prevent the use, sale or transfer of the property. Because land use authority in California generally belongs to the local government, listing does **not** give either the state or the federal government any additional authority over the property.

Local governments may enact zoning regulations that affect privately owned historic properties within their jurisdictions. Contact the planning department of the city or county within which the property is located for information about local zoning regulations that may apply to historic properties.

What are the Benefits of Designation to Property Owners?

In addition to the honor and recognition of owning an historically significant property, listing on the California Register may qualify the owner to benefit from historic preservation grants and other preservation programs such as the Mills Act, a local property tax incentive for historic preservation. The State Historical Building Code can be applied when requirements of the Uniform Building Code threaten the historical integrity of a designated resource. Historic designation often results in increased property values. Because the non-renewable stock of historic resources is rapidly being depleted, historic properties are considered premium commodities in many markets. Owners of designated properties may identify them with a plaque or marker.

What are the Criteria for Listing Historical Resources in the California Register?

Resources eligible for listing include buildings, sites, structures, objects, or historic districts that retain historic integrity and are historically significant at the local, state or national level under one or more of the following four criteria:

- 1) It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- 2) It is associated with the lives of persons important to local, California, or national history;
- 3) It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or

- 4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to having significance, resources must have integrity for the period of significance. The period of significance is the date or span of time within which significant events transpired, or significant individuals made their important contributions. Integrity is the authenticity of a historical resource's physical identity as evidenced by the survival of characteristics or historic fabric that existed during the resource's period of significance. Alterations to a resource or changes in its use over time may have historical, cultural, or architectural significance. Simply, resources must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if, under criterion 4, it maintains the potential to yield significant scientific or historical information or specific data.

Historic Districts are a concentration of historic buildings, structures, objects, or sites within precise boundaries that share a common historical, cultural or architectural background. Individual resources within an historic district may lack individual significance but be considered a contributor to the significance of the historic district.

Can a Resource be Removed from the Register?

The State Historical Resources Commission may remove an historical resource from the California Register if the resource, through demolition, alteration, or loss of integrity has lost its historic qualities or potential to yield information; or if new information or analysis shows that the historical resource was not eligible at the time of its listing.

If you think your property does not meet the criteria for listing and you wish to have your property removed from the California Register, you may submit a written request for removal which provides detailed justification, including photographic documentation showing the current condition of the historical resource and photographic and/or archival documentation of the exterior appearance and condition of the historical resource at the time of listing, and complete ownership information.

How Does Listing Protect the Resource?

Under the California Environmental Quality Act (CEQA), projects which are to be permitted, funded or carried out by public agencies that may have an adverse impact upon historical resources are subject to environmental review. Projects involving privately owned resources that require a discretionary permit or review from a public agency are also subject to environmental review. Resources that are listed, as well as those formally determined eligible for listing, are considered significant historical resources for purposes of CEQA.

By itself, historical designation or listing in the California Register does not prevent the alteration or demolition of an historic resource. However, like flashing signals at a railroad crossing, listing alerts local government officials, property owners, and interested citizens to “stop, look, and listen” before making decisions that may cause irreparable damage to a non-renewable and irreplaceable aspect of California’s cultural and historical heritage. The *best* protection for historical resources results from the active efforts of concerned citizens who promote awareness, recognition, and appreciation of locally significant historic resources in a community which provides incentives for preservation and adopts a comprehensive approach to historic preservation in local land use policies and planning.

Where Do I Get Additional Information?

You may address any questions or comments about the California Register Program to Marie Nelson, California Register Coordinator, Office of Historic Preservation, PO Box 942896, Sacramento, CA 94296-0001; Phone: (916) 653-9514; Fax: (916) 653-9824; E-mail: mnels@ohp.parks.ca.gov.

- ◆ Pertinent sections of the Public Resources Code and the California Register of Historical Resources regulations are available in Technical Assistance Bulletin #10 ***“California State Law and Historic Preservation.”***
- ◆ Instructions for nominating resources to the California Register are available in Technical Assistance Bulletin #7 ***“How to Nominate a Resource to the California Register of Historical Resources.”***
- ◆ Additional information about CEQA and historical resources is provided in Technical Assistance Bulletin #1 ***California Environmental Quality Act (CEQA) and Historical Resources.***

Additional information about programs administered by the California State Office of Historic Preservation is available on line at www.ohp.parks.ca.gov. To request printed copies of Technical Assistance Series bulletins or other written materials, contact OHP at 916-653-6624 or calshpo@ohp.parks.ca.gov.